

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KASHAUN LOCKETT and
GARY LOCKETT,

Defendants.

8:21CR192

MEMORANDUM OF RULE 17.1
CONFERENCE

This matter came on for hearing on June 28, 2023, on the government's motion ([Filing No. 200](#)) for a pretrial conference pursuant to Federal Rule of Criminal Procedure 17.1. The Government was represented by Crystal C. Correa and Mikala Purdy-Steenholdt, Assistant United States Attorneys. The defendant, Kashaun Lockett was present and represented by Timothy Ashford; the defendant, Gary Lockett was present and represented by Jerry Hug.

The parties discussed the evidentiary issues described below pertaining to trial. As to each, the parties reached the agreement as described below or reserved the issue for decision at or before trial.

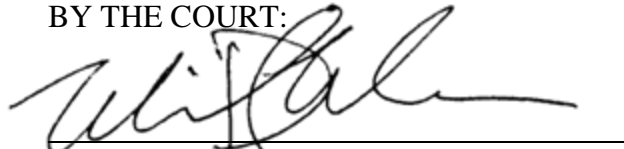
1. Defense Testing of Seized Narcotics. The Court continued the trial until September 25, 2023. The parties are to work together to determine if the Nebraska Public Service Laboratory provides for the retesting of drugs. Specifically, defense counsel is requesting that methamphetamine recovered from the tree line of Kashaun Lockett's residence, from within Kashaun Lockett's residence, and methamphetamine recovered from a sewer as tossed by Kashaun Lockett, be tested.
2. Lab Results for Seized Narcotics. Mr. Ashford agreed to stipulate to the drug lab's test results. Mr. Hug likewise agreed.
3. Seized Narcotics. Mr. Ashford objected to the use of a single agent to testify as to the seized narcotics. Mr. Hug did not object.
4. Physical Surveillance. Neither defendant objected to the use of a single agent to testify to physical surveillance.
5. Search Warrant. Mr. Ashford objected to the use of a single agent testifying to the items seized at Kashaun Lockett's residence. Mr. Hug did not object.

6. Cell Phone Seizure. Mr. Ashford objected to using a single agent to offer Kashaun Lockett's seized phone into evidence. Mr. Hug did not object.
7. Cell Phone Contents. Mr. Ashford objected to a single agent testifying to the contents of Kashaun Lockett's cell phone contents. Mr. Hug did not object.
8. Cell Phone Exhibit. Mr. Ashford objected to the government introducing relevant portions of the phone's contents. Mr. Hug reserved his objection. A summary exhibit has not yet been created; the government will provide the exhibit prior to trial and confer with the parties regarding a stipulation at that time.
9. Stipulations. Stipulations will be provided to defense counsel prior to trial.
10. Plea Offers. The Government has provided written plea agreements to Mr. Ashford and Mr. Hug. The plea offers have a deadline of July 7, 2023. If no agreement is made between the parties as to the plea offers on or before that date, the offers will be withdrawn by the government.

Trial is set to begin on September 25, 2023.

Dated this 29th day of June, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Michael D. Nelson', written over a horizontal line.

MICHAEL D. NELSON
United States Magistrate Judge